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PTO/SB/31 (04-05)
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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**Docket Number (Optional)
2676-6085US**CERTIFICATE OF MAILING**Express Mail label Number: EM330551977USDate of Deposit February 2, 2009Person Making Deposit Robert J. GueckIn re Application of
Goossens et al.

Application Number

10/666,778

Filed

September 18, 2003

For THE USE OF GENES ENCODING MEMBRANE
TRANSPORTER PUMPS TO STIMULATE THE PRODUCTION OF
SECONDARY METABOLITES IN BIOLOGICAL CELLSArt Unit
1638Examiner
R. KallisApplicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 540.00☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced
by half, and the resulting fee is:

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I have enclosed a duplicate copy of this sheet.☒ The Director is hereby authorized to charge any **deficiency** in fees which may be required, or credit any overpayment
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form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☒ attorney or agent of record.Registration number 55,896.☐ attorney or agent acting under 37 CFR 1.34.Registration number 20-1469 acting under 37 CFR 1.34. _____
Signature

Daniel J. Morath, Ph.D.

Typed or printed name

(801) 994-8748

Telephone number

February 2, 2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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